

**Before the
Federal Communications Commission
Washington, D.C. 20554**

In the Matter of Applications of)	
)	
NATIONAL FOOTBALL LEAGUE)	FCC File Nos. 0001942907, 0001942845
)	
Request for Waiver of the Call Sign Identification)	
Requirements of 47 C.F.R. § 90.425)	

ORDER

Adopted: October 28, 2005

Released: October 31, 2005

By the Chief, Public Safety and Critical Infrastructure Division, Wireless Telecommunications Bureau:

1. *Introduction.* On November 18, 2004, the National Football League (NFL) filed waiver requests and applications to modify its licenses for Industrial/Business Pool Stations KNNF411 and KNNF412.¹ The NFL seeks a waiver of the requirement in Section 90.425 of the Commission's Rules² that Part 90 stations periodically transmit station identification. For the reasons discussed herein, we grant the NFL's waiver requests.

2. *Background.* These two licenses authorize use of low-power (two watt) mobile units nationwide. The NFL states that the units are used exclusively within football stadiums for communications between coaches on the sideline and their quarterback during professional football games.³ The NFL seeks waiver of the station identification requirements because these systems are routinely used in a high noise environment, and transmission of the identification can be distracting to quarterbacks and disrupt the game.⁴ The NFL argues that transmission of station identification is unnecessary because these systems are incapable of causing interference to licensees outside the stadium⁵

3. *Discussion.* To obtain a waiver of the Commission's Rules, a petitioner must demonstrate either that the underlying purpose of the rule(s) would not be served or would be frustrated by application to the present case and that grant of the waiver would be in the public interest; or that, in view of unique or unusual factual circumstances of the instant case, application of the rule(s) would be inequitable, unduly burdensome, or contrary to the public interest, or the applicant has no reasonable alternative.⁶ We believe that NFL has shown that a waiver is warranted.

4. The purpose of a station identification requirement is to clearly make the identity of the station transmitting known to those receiving the transmission.⁷ This serves, *inter alia*, to help identify

¹ See FCC File Nos. 0001942907, 0001942845, Waiver Request (Waiver Request).

² 47 C.F.R. § 90.425.

³ See Waiver Request at 1.

⁴ See *id.*

⁵ See *id.*

⁶ 47 C.F.R. § 1.925(b)(3).

⁷ See, e.g., Amendments to the Amateur Service Rules Including Amendments for Examination Credit, Eligibility for a Club Station License, Recognition of the Volunteer Examiner Session Manager, a Special Event Call Sign

sources of interference. When the identity of the station is clear from other circumstances, such as limits on what stations can receive the transmission, transmission of station identification is not necessary.⁸ We conclude that the underlying purpose of 47 C.F.R. § 90.425 would not be frustrated if the rule were waived in the present case. The NFL indicates that the game day frequency coordinators monitor the RF environment in real time during the game, and that they are careful to prevent any interference both inside and outside the stadium.⁹ In addition, the NFL indicates that by using prior coordination the potential for interference is greatly reduced if not eliminated.¹⁰ We agree that, under the circumstances, transmitter identification for these radios is not needed. We also conclude that it serves the public interest to eliminate an unnecessary regulatory requirement that burdens a licensee in the conduct of its business.¹¹

5. Accordingly, IT IS ORDERED, pursuant to Section 4(i) of the Communications Act of 1934, as amended, 47 U.S.C. § 154(i), and Section 1.925 of the Commission's Rules, 47 C.F.R. § 1.925, that the waiver requests filed by the National Football League with respect to applications FCC File Nos. 0001942907 and 0001942845 ARE GRANTED.

6. IT IS FURTHER ORDERED that the Public Safety and Critical Infrastructure Division SHALL PROCESS applications FCC File Nos. 0001942907 and 0001942845 in accordance with this *Order* and the Commission's Rules.

7. This action is taken under delegated authority pursuant to Sections 0.131 and 0.331 of the Commission's Rules, 47 C.F.R. §§ 0.131, 0.331.

FEDERAL COMMUNICATIONS COMMISSION

Michael J. Wilhelm
Chief, Public Safety and Critical Infrastructure Division
Wireless Telecommunications Bureau

System and a Self-Assigned Indicator in the Station Identification, *Memorandum Opinion and Order*, WT Docket No. 95-57, 14 FCC Rcd 8812, 8813 ¶ 3 (1999).

⁸ See, e.g., Amendment of Parts 13 and 80 of the Commission's Rules Concerning Maritime Communications, *Second Report and Order*, *Sixth Report and Order*, and *Second Further Notice of Proposed Rule Making*, WT Docket 00-48, 19 FCC Rcd 3120, 3157 ¶ 71 (2004).

⁹ See Waiver Request at 1.

¹⁰ See *id.*

¹¹ See, e.g., Biennial Regulatory Review -- Amendment of Parts 1, 22, 24, 27, and 90 to Streamline and Harmonize Various Rules Affecting Wireless Radio Services, *Report and Order and Further Notice of Proposed Rulemaking*, WT Docket No. 03-264, FCC 05-144, ¶ 4 (rel. Aug. 9, 2005).